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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#14  
606  
8903

Application number: 09/736,351

Application filed: 15 December 2000

Applicant: Wendel Dean Renner

Title: Radiation Therapy Dosimetry Quality Control Process

Art Unit: 2882

Examiner: Therese Barber

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TECHNOLOGY CENTER 2800

**Amendment D:  
Submission of Response to Office Action of May 7, 2003  
Remarks**

Honorable Commissioner for Patents  
Washington, D.C. 20231

In response to the Office Action dated 05/07/2003.

**Remarks:**

We respectfully submit that Olivera et. al. (USPN 6,438,202 B1) does not precede our claim.

In (3) of the office action reference is made to col. 7, lines 5-37 of Olivera, that "Olivera discloses the process of utilizing a radiotherapy machine to verify the radiation dose to a patient from a plurality of the radiation beam comprised of measuring the output of the intended treatment beam over the area of the radiation beam in a plane perpendicular to the central ray of the radiation beam prior to impingement upon the patient."

Yet upon reading, col. 7 lines 5-13 describe the control for the shutter system of the tomotherapy machine. A signal is developed from a computer in the form of a treatment sinogram that describes the intended fluence profile at each gantry angle of the machine. These lines have nothing to do with quality control, but rather describe how the treatment machine is controlled. As the gantry rotates, shutters open for different periods of time and in so doing shape the fluence profile that the patient is treated with. This is a control system for the machine's shutter system.